

REMARKS/ARGUMENTS

1.) Allowable Subject Matter

The Applicant gratefully acknowledges the allowance of claim 15.

2.) Claim Rejections – 35 U.S.C. § 103(a)

The Examiner rejected claims 10 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Chennakeshu, et al. (US 6,542,758) in view of Helferich (US 6,233,430). The Applicant files herewith a Declaration of Common Ownership pursuant to 35 U.S.C. 103(c)(1) to overcome the rejection under 103(a) based on Chennakeshu. The Declaration of Common Ownership is sufficient evidence that the invention described in the application for patent and the invention described in the prior art reference applied against the application were commonly owed by, or subject to an obligation of assignment to, the same person, at the time the invention in the application for patent was made. Because Chennakeshu has been disqualified as a reference under 35 U.S.C. 103(c), the allowance of claims 10 and 13 is respectfully requested.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



Michael Cameron
Registration No. 50,298

Date: February 2, 2006

Ericsson Inc.
6300 Legacy Drive, M/S EVR 1-C-11
Plano, Texas 75024

(972) 583-4145
michael.cameron@ericsson.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Robert Owen Bristow	§	Group Art Unit:	2681
		§		
Serial No:	09/743,668	§	Examiner:	Smith, Sheila B
		§		
Filed:	May 1, 2001	§	Confirmation No.:	5802
		§		

For: RADIO COMMUNICATIONS UNIT

Via EFS-Web (Beta)

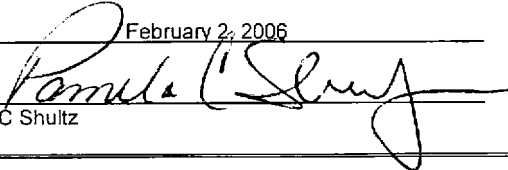
Mail Stop AMENDMENT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or being transmitted via facsimile or EFS-Web (Beta) to the USPTO on the date indicated below.

Date: February 2, 2006


Pamela C Shultz

DECLARATION OF COMMON OWNERSHIP

In response to the Office Action mailed November 2, 2006, the Applicant submits the following Declaration of Common Ownership regarding U.S. Patent No. 6,542,758 to Chennakeshu.

The Applicant respectfully submits that at the time the invention of U.S. Application No. 09/743,668 was made, U.S. Application No. 09/743,668 and U.S. Patent No. 6,542,758 were commonly owned by or subject to an obligation of assignment to Telefonaktiebolaget LM Ericsson (publ) (LME), Stockholm, Sweden. Ericsson Inc (a U.S. Corporation) is a wholly owned subsidiary of LME.

Refer to U.S. Patent No. 6,542,758 Assignment recorded with the USPTO on 07/22/1999 reel 010128, frame 0251, and U.S. Application No. 09/743,668 Assignment recorded with the USPTO on 05/01/2001, reel 011760, frame 0592.

CONCLUSION

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



Michael Cameron
Registration No. 50,298

Date: February 2, 2006

Ericsson Inc.
6300 Legacy Drive, M/S EVR 1-C-11
Plano, Texas 75024

(972) 583-4145
michael.cameron@ericsson.com